

Docket No: ORRCP0100US**Serial No. 10/632,501****REMARKS**

Upon entry of the present Reply, claims 1-44 are pending in the application.

Claims 1, 4, 5, 10, 25, 29, 32 and 34 are amended herein.

Support for the amendment of the independent claims may be found, for example, at page 19, lines 23-26. Support for the amendment of claim 4 may be found, for example, at page 7, lines 18-19. Support for the amendment of claim 5 may be found, for example, at page 8, lines 11-14. Claim 34 is amended only to clarify that all of the steps in claim 32 are repeated.

New claims 35-44 are added herein. Each of claims 35-39 specifies that the removed or second hydrocarbon, that is, the product of the claimed process, is a refinery-grade material and is not subjected to either cracking or fractionation subsequent to the removing or separating step. This is supported, for example, at page 6, lines 25-26 and at page 26, lines 9 and 25. Each of claims 40-44 specifies that the filter apparatus comprises a column containing the clay and the hydrocarbon-containing material is passed through the column under pressure, such that the steps of contacting and removing or separating are combined in a single operation. This is supported, for example, at page 22, lines 8-13.

Applicants submit that all of the claims are allowable over the prior art of record in this application and Applicants request the Examiner to withdraw the rejections of these claims and to allow the application.

Rejection of Claims over Johnson, U.S. Patent No. 4,383,915.

In the Office Action dated 07 March 2006 all of the claims were rejected as either anticipated by or obvious over Johnson, together with one or more secondary references. Applicant traverses the rejections of the claims over Johnson and the various secondary references for the following reasons.

Applicants have amended claims 1-34 to specify that the contacting step is conducted in the temperature range from about 50°C to about 180°C. Johnson

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requires that the minimum temperature for the step of mixing hydrocarbon-containing material with clay is 650°F, which is equivalent to 343°C. Johnson teaches that below this temperature the clay-oil mixture is not readily filterable. See col. 3, lines 13-16.

Accordingly, Johnson cannot anticipate claims 1, 4 and 5, and cannot have rendered obvious any of the remaining claims, in any of the asserted combinations. For this reason, Applicant respectfully submits that the presently pending claims are in condition for allowance.

Regarding claim 4 and new claims 35-39, Johnson et al. teaches at col. 4, lines 9-15 that the filtrate product is only suitable for non-critical uses and that if a material meeting color specifications is required, then further processing must be applied, such as hydrotreating (which may include catalytic hydrogenation and/or cracking) and vacuum distillation (fractionation). Johnson et al. disclose subsequent hydrotreating and vacuum distillation at col. 4, lines 47-51. Claim 4 specifies that a refinery-grade material is obtained from the claimed process, which distinguishes the product obtained by the process of Johnson et al. Claims 35-39 specify that the removed or second hydrocarbon material is not subjected to either cracking or fractionation subsequent to the removing or separating. Johnson et al. require such further processing to obtain a refinery grade material, and thus these claims further distinguish over Johnson et al.

Thus, claims 4 and 35-39 further distinguish over Johnson et al. for these reasons.

Regarding new claims 40-44, which specify that the filter apparatus comprises a column containing the clay and the hydrocarbon-containing material is passed through the column under pressure, such that the steps of contacting and separating are combined in a single operation, this further distinguishes over Johnson et al. Johnson et al. requires that the waste oil be contacted with a clay at a high temperature (col. 3, lines 6-20, that the clay-oil mixture be cooled and then filtered by gravity or vacuum filtration. This operation is fully distinguished by the steps in claims 40-44.

Thus, claims 40-44 further distinguish over Johnson et al. for these reasons.

Docket No: ORRCP0100US**Serial No. 10/632,501****CONCLUSION**

As shown by the foregoing, Applicants respectfully submit that the presently disclosed and claimed invention patentably distinguishes over the asserted prior art. Accordingly, Applicants request the Examiner to withdraw the previously stated rejections and to allow the present claims.


If any issues remain, or if the Examiner considers that a telephone interview would be helpful to facilitate favorable prosecution of this application, the Examiner is invited to telephone the undersigned attorney.

Applicant submits herewith a credit card authorization for payment of extra claim fees for the 10 new claims submitted herein (10 X \$25.00 = \$250.00), and for a one-month extension (\$60.00). It is believed no additional fee is required for this filing. However, if any fee is required, please charge the fee to Deposit Account No. 18-0988, Order No. ORRCP0100US.

Respectfully submitted,

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